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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,809	01/12/2004	Jie Chen	021713-000110US	1693
20350	7590	12/02/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			MARTINEZ, JOSEPH P	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/756,809

Applicant(s)

CHEN, JIE

Examiner

Joseph P. Martinez

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5-7-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being fully anticipated by Ouchi (6765705).

Re claims 1, 5 and 8, Ouchi teaches for example in fig. 1, a color separation system or method for generating optical signals for display applications, comprising: an optical illumination source (1) operative to generate an optical beam; a first optically refractive or dispersive element (integral unit consisting of 3, 4 and 4a, col. 2, ln. 50-54, wherein the office interprets the lens portion 3 to refract the light and the beam splitter 4 in conjunction with the $\lambda/2$

Art Unit: 2873

waveplate portion 4a to disperse the light beam) operative to refract or generate the optical beam (col. 2, ln. 50-54, wherein the office interprets the lens portion 3 to refract the light and the beam splitter 4 in conjunction with the $\lambda/2$ waveplate portion 4a to disperse the light beam) to produce an optical spectrum; a selection mechanism (7a-c) operative to separate the optical spectrum into a first optical signal of a first predetermined wavelength range (col. 2, ln. 56-60) and a second optical signal of a second predetermined wavelength range (col. 2, ln. 56-60) or a plurality of optical signals (col. 2, ln. 56-60), each of the plurality of optical signals characterized by a predetermined wavelength (col. 2, ln. 56-60); and a second optically refractive or dispersive element (43) operative to temporally separate the first optical signal and the second optical signal (col. 4, ln. 10-28).

Re claim 2, Ouchi further teaches for example in fig. 1, selection mechanism (7a-c) is further operative to separate the optical spectrum into a third optical signal of a third predetermined wavelength range (col. 2, ln. 56-60).

Re claims 3 and 9, Ouchi further teaches for example in fig. 1, the first predetermined wavelength range corresponds to a red region of the optical spectrum, the second predetermined wavelength range corresponds to a green portion of the optical spectrum, and the third predetermined wavelength range corresponds to a blue portion of the optical spectrum (col. 2, ln. 56-60).

Art Unit: 2873

Re claim 4, Ouchi further teaches for example in fig. 1, the optical spectrum is separated into more than three wavelength ranges (col. 3, ln. 2-10).

Re claims 6 and 7, Ouchi further teaches for example in fig. 1, a first of the plurality of optical signals (white, col. 3, ln. 2-10) extends over a first wavelength range greater than a second of the plurality of optical signals (yellow, col. 3, ln. 2-10) and wherein the first plurality of optical signals is a white light (col. 3, ln. 2-10).

Re claim 10, Ouchi further teaches for example in fig. 2, said plurality of temporal signals is a train of optical pulses (col. 4, ln. 10-28).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2873

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
11-23-04



Hung Xuan Dang
Primary Examiner